



1636

## PATENT

Attorney Docket No.: A-63487-3/RFT/JJD

#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*In re* application of:

SIMMONS et al.

Serial No. 09/829,251

Filed: April 9, 2001

For: METHODS AND COMPOSITIONS  
FOR SECRETION OF  
HETEROLOGOUS  
POLYPEPTIDES

Examiner: UNKNOWN

Group Art Unit: 1636

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

Dated: November 30, 2001Signed:   
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INFORMATION DISCLOSURE STATEMENTCommissioner for Patents  
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Since copies of these references were provided either by the Applicants or the Examiner in United States Serial No. 08/397,303, filed March 1, 1995 (now Pat. No. 6,242,177), upon which the instant applicant relies for its priority date, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed herewith.

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor

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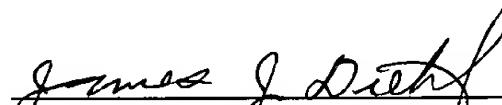
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shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required. Although no fee is currently believed to be due, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-63487-3/RFT/JJD).

Respectfully submitted,  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Dated: November 30, 2001

  
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